

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

In the Official Action, the Examiner objects to the drawings as failing to comply with 37 C.F.R. § 1.84(p)(4) because reference character "630" in Figure 29 is used to designate both a support member and a torsion bar. In response, Figure 29 has been amended to change the designation for one of the support members shown therein to reference numeral 632. The specification already refers to such support member with reference numeral 632. Thus, no new matter has been entered into the disclosure by way of the present amendment to Figure 29. Consequently, the Examiner is respectfully requested to withdraw the objection to the drawings under 37 C.F.R. § 1.84(p)(4).

In the Official Action, the Examiner rejects claims 1, 2, and 22 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,108,118 to Minamoto (hereinafter "Minamoto"). Furthermore, the Examiner rejects claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Minamoto.

In response, independent claims 1 and 22 have been amended to clarify their distinguishing features. Additionally, dependent claims 2 and 3 have been amended to be consistent with amended independent claim 1.

Claims 1 and 22 have been amended to emphasize their distinguishing features including;

a) The reflective-surface forming surface is reflective substantially throughout;
and

b) The reflective-forming surface of the first portion of the movable plate is formed in such a shape as to be substantially inscribed in the electric-element forming surface of the second portion, as viewed from above.

The present amendments to claims 1 and 22 are fully supported in the original disclosure, including the figures. Thus, no new matter has been entered by way of the present amendment to claims 1 and 22. As discussed above, claims 2 and 3 have also been amended to be consistent with amended claim 1, from which they depend.

According to the “American Heritage Dictionary of the English Language,” “inscribe” means “to enclose within a closed configuration of lines, curves, or surfaces so that every vertex of the enclosed figure is incident on the enclosing configuration.” Such definition is enclosed herein. Applicants respectfully submit that the present specification uses the term “inscribe” in such a meaning. Minamoto does not disclose or suggest a reflective-forming surface of a first portion of the movable plate being formed in such a shape as to be substantially inscribed in the electric-element forming surface of the second portion (as viewed from above). Nor does Minamoto disclose or suggest the reflective-surface forming surface being reflective substantially throughout as is now recited in independent claims 1 and 22.

With regard to the rejection of claims 1, 2, and 22 under 35 U.S.C. § 102(b), a mirror rocking member for an optical deflector having the features described above and as recited in amended independent claims 1 and 22, is nowhere disclosed in Minamoto. Since it has been decided that “anticipation requires the presence in a single prior art reference, disclosure of each and every element of the claimed invention, arranged as in the claim,”¹ independent claims 1 and 22 are not anticipated by Minamoto. Accordingly, independent claims 1 and 22 patentably distinguish over Minamoto and are allowable. Claim 2 being dependent upon claim 1, is thus allowable therewith. Consequently, the Examiner is

¹ Lindeman Maschinenfabrik GMBH v. American Hoist and Derrick Company, 730 F.2d 1452, 1458; 221 U.S.P.Q. 481, 485 (Fed. Cir., 1984).

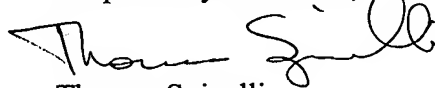
respectfully requested to withdraw the rejection of claims 1, 2, and 22 under 35 U.S.C. § 102(b).

With regard to claim 3, since independent claim 1 patentably distinguishes over the prior art and is allowable, claim 3 is allowable therewith because it depends from an allowable base claim.

In other words, Independent claim 1, as amended, is not rendered obvious by the cited reference because the Minamoto patent, whether taken alone or in combination with the level of skill of an ordinary artisan, does not teach or suggest an optical deflector having the features described above. Accordingly, claim 1, as amended, patentably distinguishes over the prior art and is allowable. Claim 3, being dependent upon claim 1 is thus allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejection of claim 3 under 35 U.S.C. § 103(a).

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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TS:cm

Enclosure (Request for Approval of Drawing Changes and
Dictionary Definition of "Inscribe")